

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

W.J. O'NEIL COMPANY,

Plaintiff,

v.

Case No. 11-12020

SHEPLEY, BULFINCH, RICHARDSON &
ABBOTT, INC., and SMITH SECKMAN REID,
INC.,

Defendants.

**ORDER TERMINATING PENDING MOTIONS, ADMINISTRATIVELY CLOSING CASE
AND SCHEDULING A TELEPHONE CONFERENCE**

On July 16, 2015, the court conducted a telephone conference in the above-captioned matter. During the conference, counsel indicated that they were working diligently toward an amicable resolution of this action and that they had identified a mutually agreed upon facilitator, but that his schedule was fully booked until October, 2015. Having discussed the matter with the parties, the court is satisfied that it should withhold ruling on the pending motions for summary judgment until the facilitative process has completed. The court will therefore administratively close this case during the pendency of the parties' negotiations. Accordingly,

IT IS ORDERED that all pending motions are TERMINATED WITHOUT PREJUDICE pending the parties' diligent efforts toward settlement. Should counsel believe they need to file a motion for some reason prior to the facilitation, they are directed to contact the court's case manager who will schedule a telephone conference.

The clerk of the court is DIRECTED to administratively close this matter for statistical purposes only. **Nothing in this order shall be deemed to adversely affect**

or in any way impact the parties' rights. If, at any time, any party wishes to reopen this case it may file a "Notice of Reopening," whereupon the case will be immediately reopened, with all rights preserved as of the date of this order. As applicable, motions will be reinstated, or refreshed, at the parties' option.

IT IS FURTHER ORDERED that counsel shall participate in a telephone conference on **November 2, 2015, at 2:30 p.m.** The court will place the call.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: July 24, 2015

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 24, 2015, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

S:\Cleland\JUDGE'S DESK\C3 ORDERS\11-12020.O'Neil.AdminCloseFaciliation.wpd